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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,024	06/15/2001	Kumar Bhaskaran	YO9-99-314	7837

30743 7590 08/12/2005

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EXAMINER

FRANCIS, MARK P

ART UNIT	PAPER NUMBER
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2193

DATE MAILED: 08/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/881,024

Applicant(s)

BHASKARAN ET AL.

Examiner

Mark P. Francis

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 June 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)             | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

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**DETAILED ACTION**

1. This action is responsive to the application filed on June 15, 2001.
2. Claims 1-7 have been examined.

***Oath/Declaration***

3. The Office acknowledges receipt of a properly signed oath/declaration filed June 15, 2001.

***Claim Rejections - 35 USC § 112***

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claim 3 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

6. Claim 3 recites the limitation "the creation" in line 2. There is insufficient antecedent basis for this limitation in the claim. Applicant did not introduce the limitation in the present claim or in a previously referenced claim.

For examination purposes, claim 2's limitation "the creation" will be interpreted as "a creation".

The rejection of the base claims is incorporated into the rejection of their dependent claims.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Burke.  
(U.S. Pat 6,789,252)

**Independent claims**

With respect to claim 1, Burke discloses A computer implemented system analysis and design method(Col 5:31-40, "...a method and system fro creating...") for use in a complex business environment characterized by a set of tightly linked business processes comprising the steps of: capturing in a framework a world view(Col 6: 9-50, "...provides a shared vision...") of a business decision and/or a business application software system, wherein a world view is defined by business objectives, constraints(Col 26:34-47, "...Business Rules as Object Definition..."), assumptions, data, and underlying model used in business decision and/or the application software system; and using the framework to specify and document each business decision(Col 2:57-67, "...in making decisions...") and/or business application software system in the complex environment. (Col 5:1-67, "can build business software applications...object definition framework is provided for managing business object definitions...",Col 18:2-

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15, "...adds meaning to the group of ingrediential objects...", Col 16:46-67, "...take the form of models...")

With respect to claim 7, Burke discloses A BDML (Business Decision Markup Language) processor(Col 34:20-67, "...the integration framework facilitates data transfer using XML gateways..." comprising: a syntax processor that checks the syntax correctness and syntax consistency within an individual and between different documents written in BDML; (Col 23:17-50,"...a content validation method...the Compliance method...")

a logic processor that checks logical consistency between different documents written in BDML, in terms of the business objectives, constraints, assumptions, data, and underlying model among the different documents; (Col 20:35-67,Col 21:1-8, "...The compare compares a first business object definition...")

and a knowledge-based processor including a knowledge base of business decisions, common choices for their decision support models and commercially available decision support systems, the knowledge-based processor providing suggestions for a set of BDML documents to improve consistency using the knowledge base.(Col 23:41-67, "...be automatically prepped from reusable specification chunks...",Col 24:15-40, "...derives a new specification from an existing specification...")

Dependent claims

With respect to claim 2, the rejection of claim 1 is incorporated and further, Burke discloses that a BDML (Business Decision Markup Language) is used to implement the framework for specifying the world view of a business decision and/or a business application software system. (Col 34:20-67, "...to create a seamless gateway between the business object definition system and existing enterprise systems...")

With respect to claim 3, the rejection of claim 2 is incorporated and further, Burke discloses that the BDML is used for the creation and maintenance of a knowledge base of business decisions and processes within an organization. (Col 3:1-16, "...can be captured and applied...")

With respect to claim 4, the rejection of claim 2 is incorporated and further, Burke discloses that the BDML is used for the publication of the functional specification of a business application software system, the world view of a technical research paper in the area of business decisions and its findings. (Col 9:1-20, "...exchanging definitions and specifications...")

With respect to claim 5, the rejection of claim 2 is incorporated and further, Burke discloses that the BDML is machine-readable by a BDML processor as well as readable

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by human users so that it can be used for systematic documentation of business objectives, constraints, assumptions, data, and underlying model in business processes and/or application software systems. (Col 34:20-67, "...facilitates data transfer using XML gateways...")

With respect to claim 6, the rejection of claim 2 is incorporated and further, Burke discloses that the BDML supports XML (eXtensible Markup Language) based standards for business to business exchanges. (Col 34:20-67, "...to create a seamless gateway between the business object definition system and existing enterprise systems...")

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark P. Francis whose telephone number is (571) 272-7956. The examiner can normally be reached on Mon-Fri 8:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on (571) 272-3719. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for

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published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Mark P. Francis

Patent Examiner

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SUPERVISORY PATENT EXAMINER  
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